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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

6 JUL 1993

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Max Baucus
United States Senate
711 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Baucus:

This is in reply to your letter of June 17, 1993, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz. You expressed your concerns and those of Governor Racicot about the impact of upgrading existing systems on state and local government and other two-way radio systems located in rural areas.

The primary purpose of the Notice was to foster emerging mobile telecommunications technologies that can help resolve spectrum congestion. While congestion is most pronounced in urban environments, the evidence suggests that pockets exist in even the most rural states. We are, however, fully aware of the varying needs of users of private land mobile radio spectrum, including state and local governments and those in rural areas. To this end, Commission staff has had numerous meetings with representatives of various groups representing mobile radio users. These discussions have been fruitful and should lead to final rules that achieve the important goals of the Notice while minimizing costs to all users.

Thank you for your interest in this proceeding. Your concerns will be included in the record of this proceeding and will be considered in developing final rules.

Sincerely,

Richard J. Shiben

Richard J. Shiben
Chief, Land Mobile and
Microwave Division

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BAUCUS
MONTANA

United States Senate

WASHINGTON, DC 20510-2602

June 17, 1993

PRB
92-235
WASHINGTON, DC
(202) 224-2651
MONTANA TOLL FREE NUMBER
1-800-332-6106

2557

Ms. Linda Townsend Solheim
Director, Legislative Affairs
Federal Communications Commission
1919 M Street, N.W.
Room 808
Washington, D.C. 20554

Dear Ms. Solheim:

I am writing to you today to express my concern over the Notice of Proposed Rule Making Docket 92-235. I am enclosing a letter and statement that I received from Governor Racicot which outlines the concerns and suggestions that large and mostly rural states like Montana have with this docket.

I believe that a compromise can be reached in this situation and I urge you to seriously consider the information in the enclosed letter and statement as this issue is considered and before final regulations are determined.

Again, thank you for your attention to this matter and I look forward to hearing back from you.

With best personal regards, I am

Sincerely,

Ma B...

OFFICE OF THE GOVERNOR 92 MAY 17 PM 3:51
STATE OF MONTANA

MARC RACICOT
GOVERNOR



STATE CAPITOL
HELENA, MONTANA 59620-0801

May 12, 1993

Senator Max Baucus
United States Senate
511 Hart Senate Office Building
Washington D.C. 20510

Dear Senator Baucus:

I understand from my staff that you are familiar with the FCC's Notice of Proposed Rule Making No. 92-235, commonly known as the "refarming docket". As you might imagine, I am concerned about the impact these proposed rules would have on the State and local government budgets. We have submitted the enclosed formal comments to the FCC on the proceeding and I wish to alert you to the

1 BEFORE THE
2 FEDERAL COMMUNICATIONS COMMISSION
3 WASHINGTON, D.C. 20544
4 PR Docket No. 92-235
5

6 In the Matter of

7 Replacement of Part 90 by
8 Part 88 to Revise the Private
9 Land Mobile Radio Services and
10 Modify the Policies Governing
11 Them

12 To: The Commission

13 COMMENTS OF THE STATE OF MONTANA
14

15 The State of Montana hereby submits the following comments in
16 response to the above-captioned Notice of Proposed Rule Making.

17 The proposed rules would require significant changes by all private

1 Considered as a single area of operations, Montana is
2 geographically large and sparsely populated. Its population of
3 800,000 is spread over 147,000 square miles of terrain ranging from
4 heavily forested mountains to sprawling plains. Radio system

1 Commission's phase one proposal by 1996. In addition, operational
2 costs would increase by an estimated \$1.3 million annually. The
3 State's political subdivisions would be required to expend an
4 almost equal amount, imposing a total compliance cost of nearly \$25
5 million upon Montana's public safety community through the next
6 three years.

7 The majority of these costs are associated with the proposed
8 reduced transmitter power levels. Considering the reduced power
9 levels proposed and the number of mobile relays in use today and by
10 applying accented radio engineering models based on height-above-

1 | available.

2 | Beyond the prohibitive costs of accommodating new power
3 | limitations, the State of Montana is convinced that transmitter
4 | deviation reductions will, as proposed, limit the range of existing
5 | systems, reduce audio power output, and jeopardize paging systems
6 | used widely by public safety in the state. These relatively

1 account for the mobile environment. While computer models are
2 valuable for estimates, field studies must be allowed to take
3 precedence over estimates.

4 2. We recommend the Commission abandon its two-stage transition

5 also, to remove the Commission's two-stage transition process.

1 inasmuch as they affect Montana, as an attempt to establish a

2 natural resource economy for the radio spectrum. Exclusive use

1 Respectfully submitted,

2 STATE OF MONTANA
3 Department of Administration

4 By: Lois Menzies
5 Lois Menzies
6 Director
7 Capitol Station
8 Helena MT 59620
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